

Giuseppe Ippolito

From: Cerrone, Michael (USANYW) <Michael.Cerrone@usdoj.gov>
Sent: Tuesday, April 16, 2019 9:38 AM
To: David Hayes; Giuseppe Ippolito
Cc: Sowles, Marcia (CIV); Manes, Jonathan
Subject: Privacy International 18-CV-1488

Dear Mr. Hayes and Mr. Ippolito:

Together with Marcia Sowles from Main Justice, I represent the defendants in this FOIA action. On March 14, 2019, the Court issued a text order requiring the parties to meet and confer and file a joint proposed discovery plan by April 19, 2019.

I would like to advise the Court that counsel for the parties have engaged in lengthy discussions, via telephone and letter, regarding the scope of the FOIA requests that plaintiffs have made to the 11 federal agency defendants. Those discussions are continuing. The scope of the FOIA requests will determine the length of time that the parties will need in the scheduling order for the production of non-exempt, responsive documents, the filing of a Vaughn index, and the deadlines for dispositive motions. Accordingly, because the parties are still negotiating the scope of the FOIA requests, we are not yet in a position to advise the Court concerning a proposed case management order. Therefore, on behalf of the defendants, and with the consent of plaintiffs, we respectfully request a 30-day extension of the deadline to submit a proposed case management order to the Court. Kindly advise if the Court requires a formal motion.



Michael S. Cerrone
Assistant United States Attorney
United States Attorney's Office
Western District of New York
138 Delaware Avenue
Buffalo, NY 14202
(716) 843-5851 (desk)
(716) 544-5419 (cell)
michael.cerrone@usdoj.gov